

REMARKS

Upon entry of the present amendment, claims 1-7 will be canceled without prejudice or disclaimer of the subject matter recited therein while preserving Applicants' right to file one or more continuation applications directed to the canceled subject matter.

Reconsideration of the rejections of record, and allowance of the application in view of the following remarks are respectfully requested.

Information Disclosure Statement

Applicants express appreciation for the inclusion with the Final Office Action of an initialed copy of the Form PTO-1449 submitted on November 30, 2009 so that the Examiner's consideration of the information included therein is of record.

Withdrawal Of Rejection Under 35 U.S.C. 112, Second Paragraph

Applicants express appreciation for the indication in the Final Office Action of withdrawal of the rejection of claims 1-22 under 35 U.S.C. 112, second paragraph.

Response to Art Based Rejections

The following rejections are set forth in the Final Office Action.

(a) Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,385,130 to Molinski.

(b) Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,576,106 to Kerbow et al. (hereinafter "Kerbow").

(c) Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,824,872 to Coates et al. (hereinafter "Coates").

The above-noted grounds of rejections are only applicable to claims 1-7 which claims have been canceled in the present amendment. Accordingly, the rejections of record are moot and should be withdrawn.

However, Applicants note that the claims have been canceled herein without expressing agreement or acquiescence with the rejections of record, and while preserving Applicants' right to file one or more continuation applications directed to the canceled subject matter and to submit arguments for patentability of the claims.

Response to Double Patenting Rejections

The following nonstatutory obviousness-double patenting rejections are set forth in the Final Office Action.

(a) Claims 1-22 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-26 of copending Application No. 10/577,300.

(b) Claims 1-22 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of copending Application No. 10/577,619.

Applicants once again submit that the obviousness-type double patenting rejections are without appropriate basis in that the rejections do not take into consideration the total recitations set forth in the claims of the applications. Accordingly, for at least the reasons previously set forth by Applicants, the rejections of record should be withdrawn.

P29884

In any event to advance prosecution of the application and without expressing any agreement and/or acquiescence with the rejections of record, Applicants are filing a Terminal Disclaimer merely to remove any issue as to whether the claims of the present application in any way conflict with the claims of the terminally disclaimed applications. However, Applicants do not intend to make any representation as to whether the subject matter defined by any of the claims of either the present application or the terminally disclaimed applications would have been obvious in view of the other or whether an obviousness-type double patenting rejection would be appropriate if the enclosed Terminal Disclaimer were not filed. The Terminal Disclaimer is being filed only to expedite the allowance of the pending claims.

Accordingly, the rejections of record should be withdrawn.

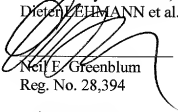
CONCLUSION

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of record, and allow each of the pending claims.

Applicants therefore respectfully request that an early indication of allowance of the application be indicated by the mailing of the Notices of Allowance and Allowability.

Should the Examiner have any questions regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Dieter EIDMANN et al.



Neil E. Greenblum
Reg. No. 28,394

April 13, 2010
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Arnold Turk
Reg. No. 33094